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HIGHLIGHTS: NEDA Approved Infrastructure Projects

The National Economic Development Authority (“NEDA”) Board confirmed the Investment Coordination Committee (“ICC”) approvals of various infrastructure projects. This alert highlights the significant recently approved projects.



NEDA Board and ICC

The NEDA ICC has the following functions (Executive Order No 230 s. 1987):

- Evaluates the fiscal, monetary, and balance of payment implications of major national projects, and recommends to the President the timetable of their implementation on a regular basis; and
- Recommends to the President domestic and foreign borrowings program on a yearly basis, and submits a status of the fiscal, monetary and balance of payments implications of major national projects.

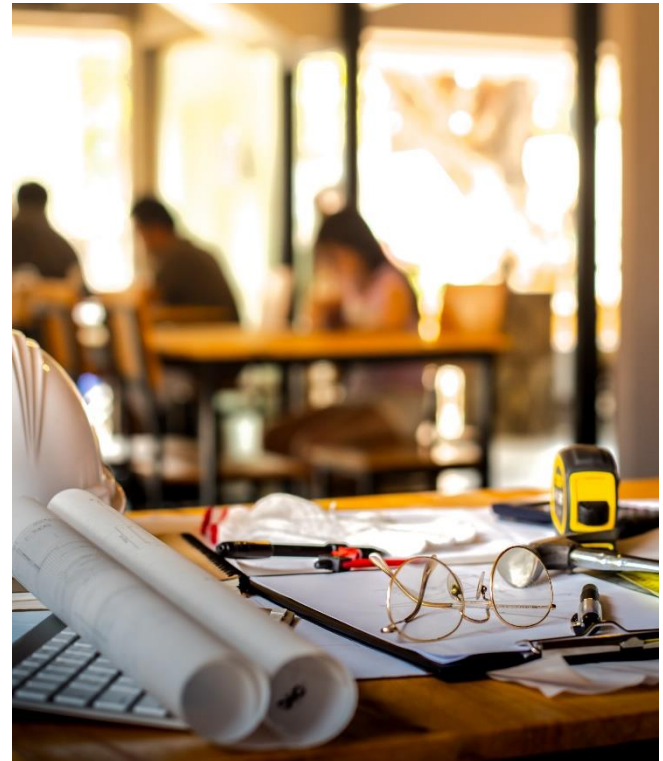
Pursuant to ICC Memorandum dated June 27, 2017, government projects costing at least Php 2.5 billion shall require the ICC approval, except as otherwise provided by law. Its decisions are presented to the NEDA Board for formal confirmation and approval. (See ICC Guidelines and Procedures; Administrative Order No. 8, s. 2017)





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Highlights of Recent NEDA Board Approvals



MRT 4 Project

PROJECT DESCRIPTION:

The project aims to help reduce travel time to improve mobility and accessibility between Metro Manila and Rizal Province.

It is a 15.56km elevated monorail transit system beginning at the proposed N. Domingo Station near Granada Street corner N. Domingo in Quezon City, and ending at the proposed Taytay Diversion Road – Manila East Road rotunda in Taytay, Rizal.

IMPLEMENTING AGENCY:

Department of Transportation

PROJECT COST AND SOURCE OF FUNDING:

Php57.07 Billion through Official Development Assistance



EDSA Greenways Project

PROJECT DESCRIPTION:

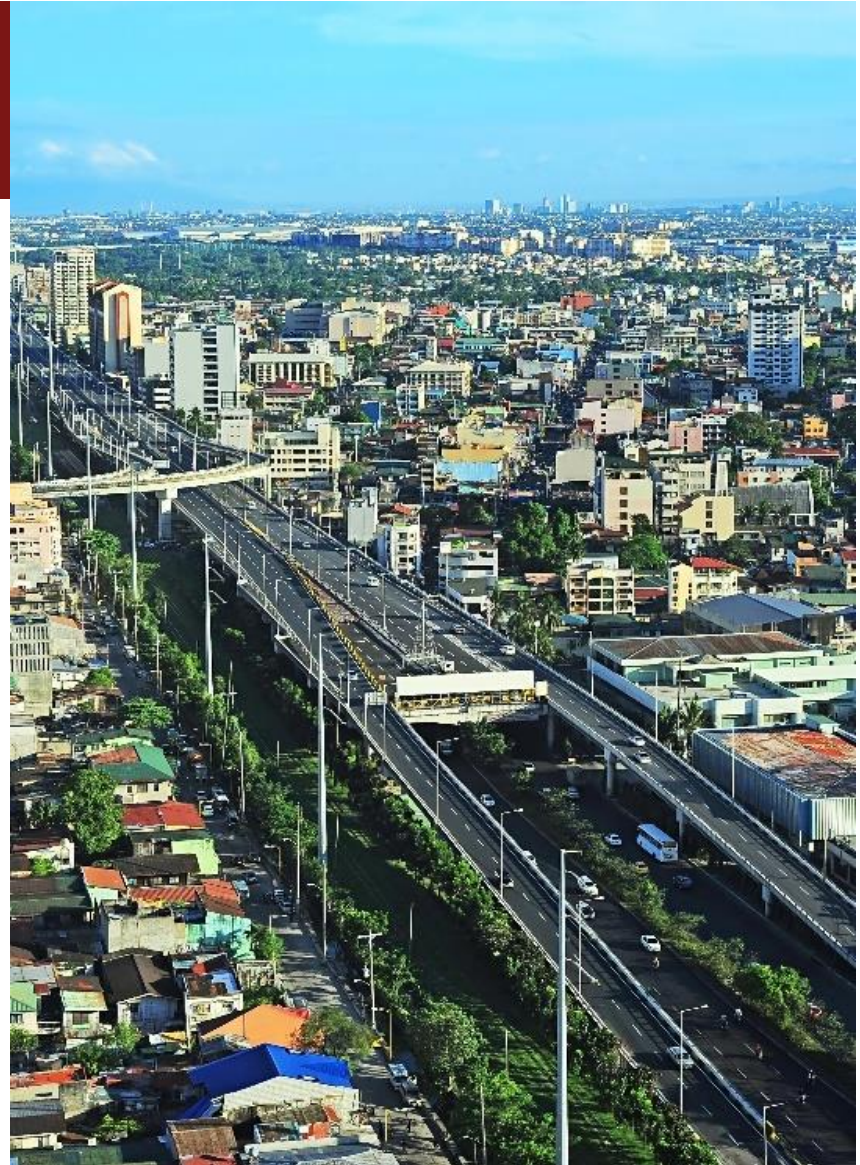
A project which involves the enhancement of pedestrian facilities around key rail stations along EDSA including, but not limited to, covered, elevated walkways leading to and from the rail stations and nearby land uses.

IMPLEMENTING AGENCY:

Department of Transportation

PROJECT COST AND FUNDING SOURCE:

Php8.51 Billion through Official Development Assistance



Maritime Safety Enhancement Program

PROJECT DESCRIPTION:

The project involves the construction of two buoy bases, acquisition of two buoy tenders, production and maintenance of Aids to Navigation, repair of equipment and materials constituting services.

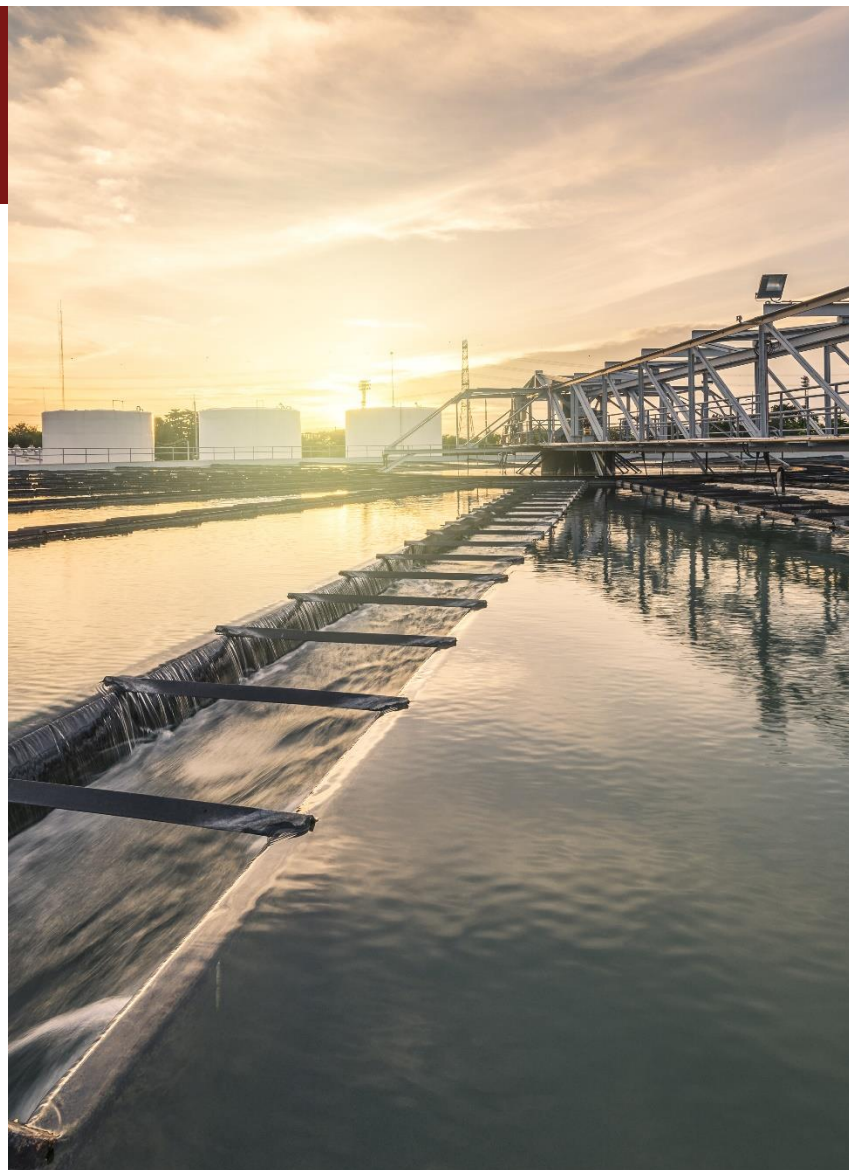
It also involves the construction of infrastructure to produce and maintain a stable supply to Aids to Navigation that will comply with international standards.

IMPLEMENTING AGENCY:

Department of Transportation – Philippine Coast Guard

TOTAL PROJECT COST AND FUNDING SOURCE:

Php6.25 Billion through Official Development Assistance



Bataan-Cavite Interlink Bridge Project

PROJECT DESCRIPTION:

The project involves the construction of a 32.15km, four-lane (two lanes each direction) bridge starting from Barangay Alas-asin in Mariveles, Bataan, crossing Manila Bay and ending in Barangay Timalan, Naic, Cavite.

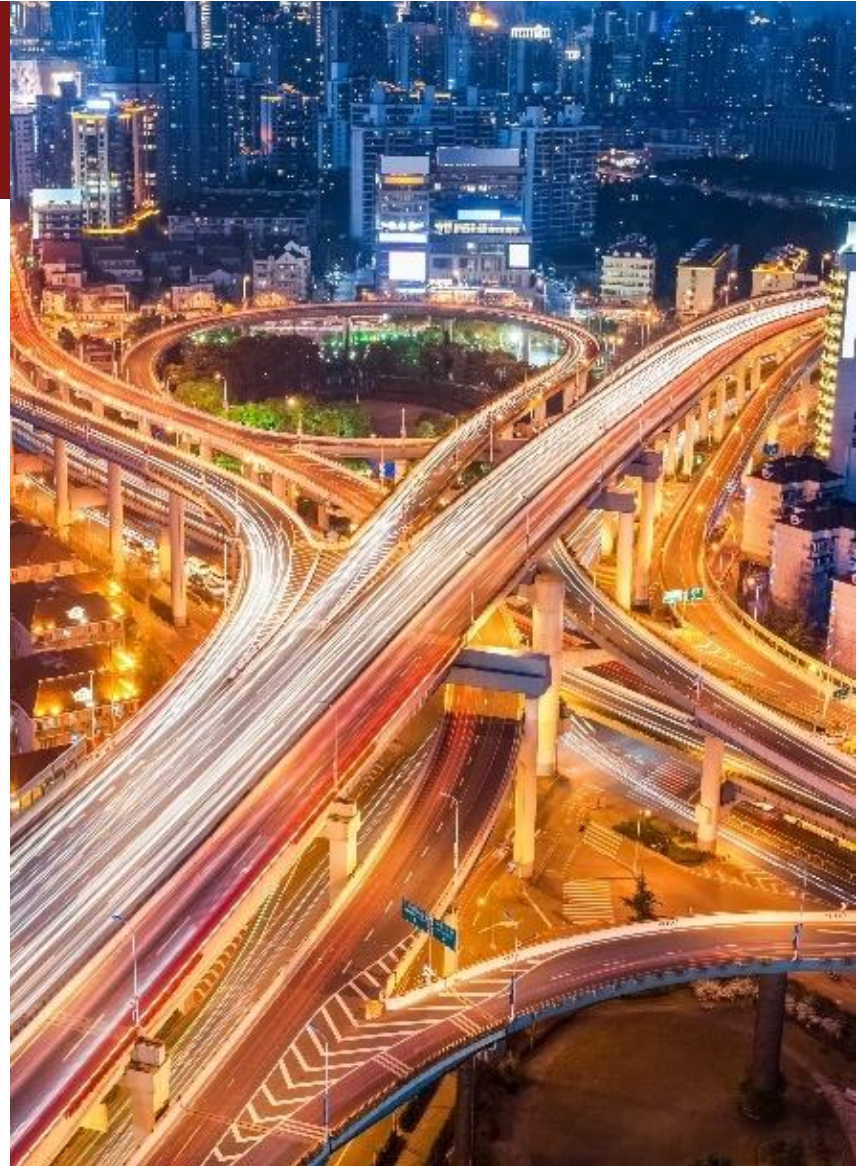
It also involves the construction of two navigation bridges, interchanges, land viaducts, turnaround facilities, special span bridge near Cavite coast, toll plaza and administration building, as well as the improvement of local existing junctions.

IMPLEMENTING AGENCY:

Department of Public Works and Highways

PROJECT COST AND FUNDING SOURCE:

Php175.7 Billion through Official Development Assistance



Cebu-Mactan Bridge Coastal Road Construction Project

PROJECT DESCRIPTION:

The project involves the construction of a 3.3km bridge with an elevated viaduct of 3.385km, with two lanes in each direction; as well the construction of a 4.9km four-lane coastal road with a 4.751km elevated viaduct.

Interchanges will also be constructed at the linkage between the two project in Mandaue City.

IMPLEMENTING AGENCY:

Department of Public Works and Highways

PROJECT COST AND FUNDING SOURCE:

Php76.41 Billion through Official Development Assistance



Davao City Coastal Bypass Road with Bucana Bridge Project

PROJECT DESCRIPTION:

The project will serve as an alternate route to the Davao-Cotabato Road and ABS-CBN Diversion Road.

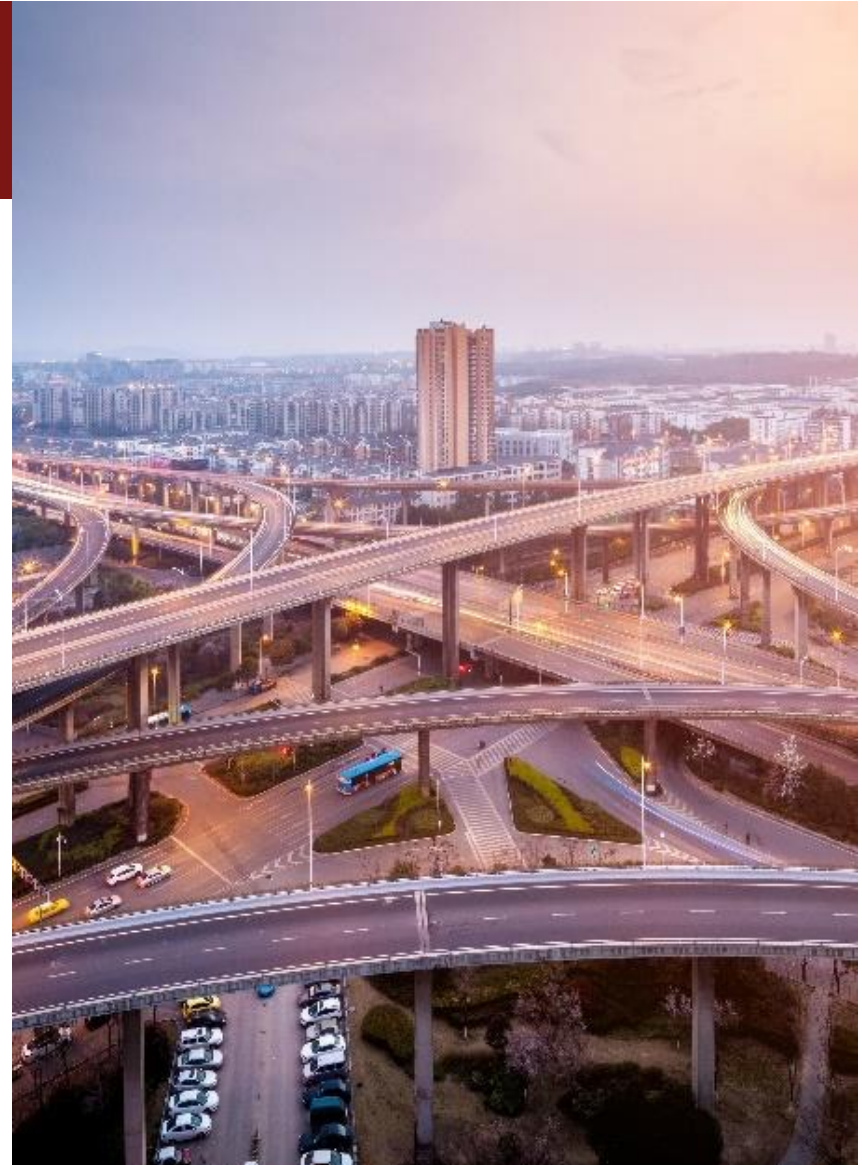
The project involves the construction of an 18.21km road with four lane facility, with a speed limit of 50kph, from Bago Aplaya to R. Castillo.

IMPLEMENTING AGENCY:

Department of Public Works and Highways

PROJECT COST AND FUNDING SOURCE:

Php28.26 Billion through General Appropriations Act and Official Development Assistance



Capas –Botolan Road Project

PROJECT DESCRIPTION:

The project aims to reduce travel time and cost from Capas to Botolan and other neighbor towns and provinces, as well as serve as an access road to New Clark City. It will directly link the provinces of Tarlac and Zambales.

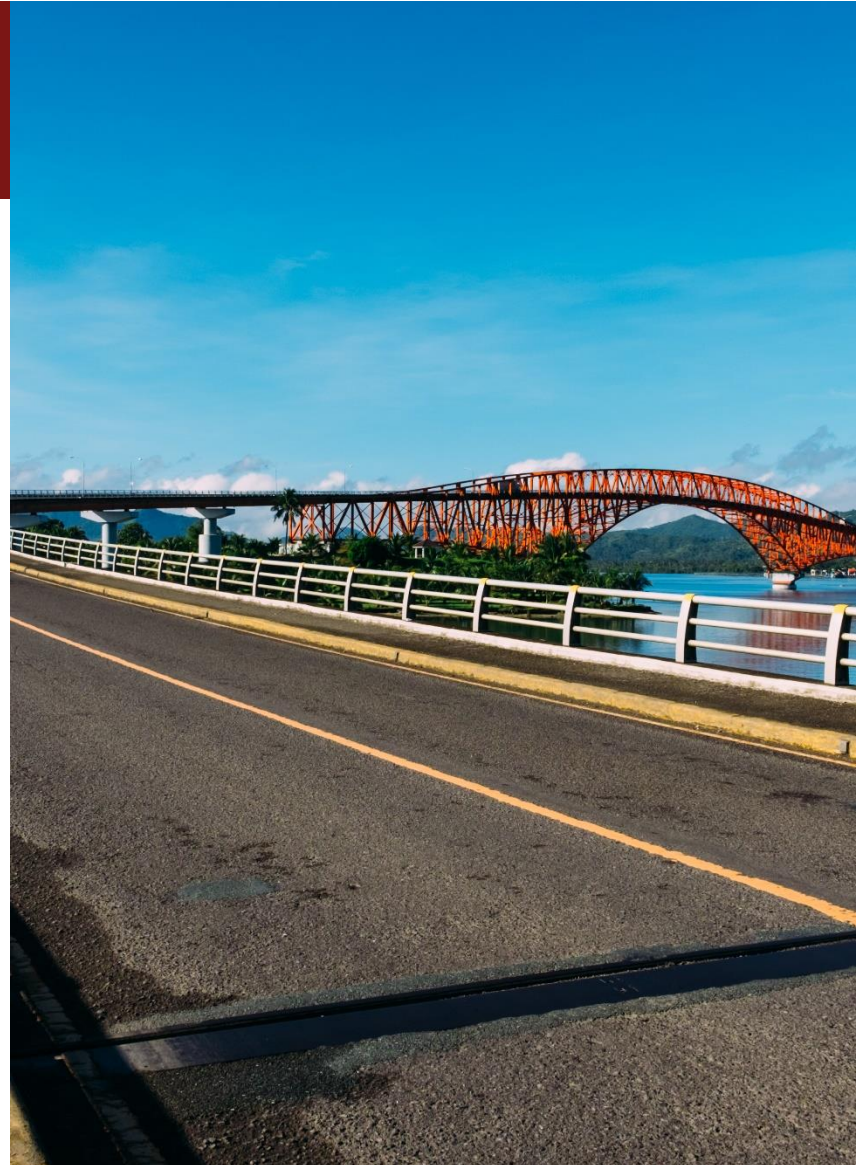
The project involves the construction/opening of a 35.64km road, including eight bridges with a cumulative length of 1,612.82 linear meters between Capas and Botolan.

IMPLEMENTING AGENCY:

Department of Public Works and Highways

PROJECT COST AND FUNDING SOURCE:

Php5.9 Billion through Official Development Assistance



Panay-Guimaras-Negros Island Bridges Project

PROJECT DESCRIPTION:

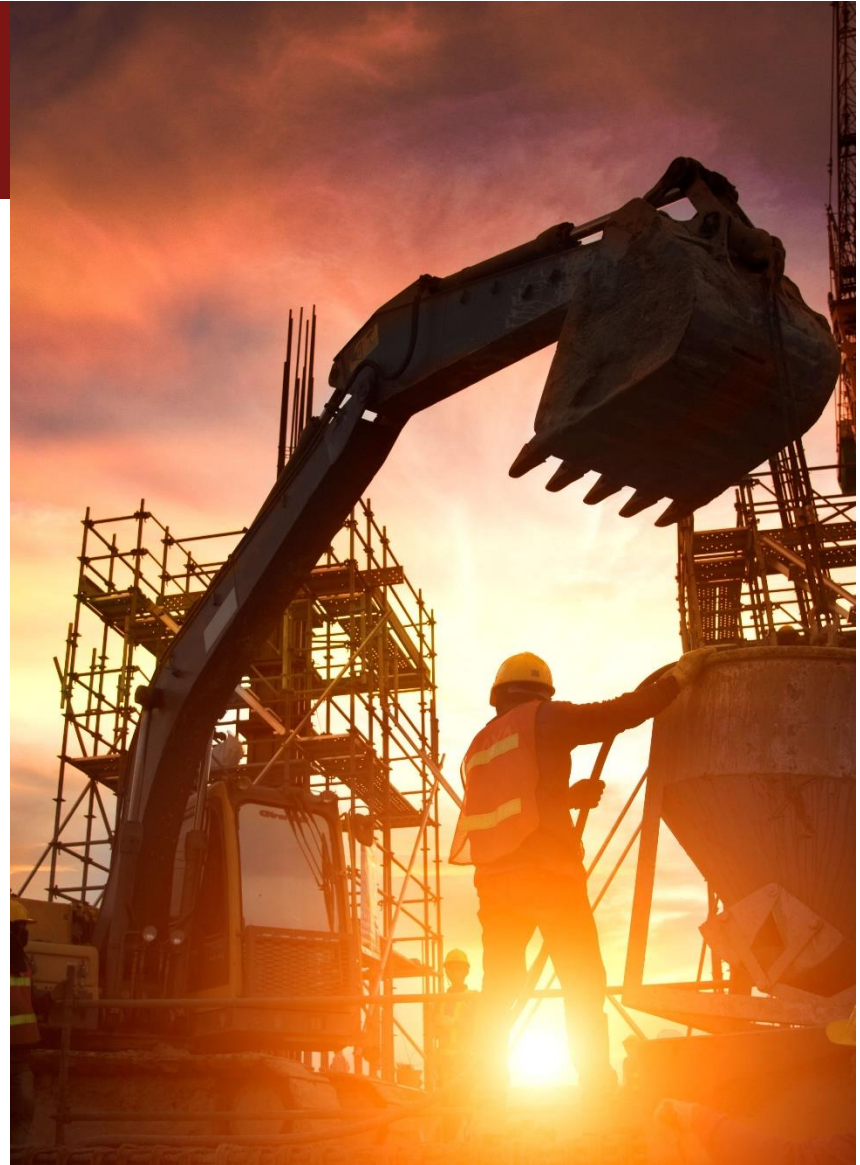
The project involves the construction of a 32.47km, four lane, two-sea-crossing bridges, including connecting roads and interchanges that will connect the lands of Panay, Guimaras, and Negros.

IMPLEMENTING AGENCY:

Department of Public Works and Highways

PROJECT COST AND FUNDING SOURCE:

Php189.53 Billion through Official Development Assistance



Davao City Bypass Construction Project

PROJECT DESCRIPTION:

(Approval of 2nd change in Scope and Cost and Supplemental Loan)

The project involves the construction of a 45.5km four lane bypass road, including a 2.8km tunnel section. This will begin from the Davao-Digos intersection of the Pan Pacific Highway at Toril, Davao City until the Davao-Agusan National Highway in Panabo City.

The change in scope involves the DPWH proposal to divide Package II into three sub-packages. The proposed project is 300 meters longer.

IMPLEMENTING AGENCY:

Department of Public Works and Highway

PROJECT COST AND FUNDING SOURCE:

Php46.8 Billion through Official Development Assistance



Samar-Pacific Coastal Road Project

PROJECT DESCRIPTION:

The project involves the construction of 11.30km of the unpaved section of the Samar Pacific Coastal Road and the construction of three bridges with a total length of 261 linear meters. The Committee approved the following:

- A 24-month loan validity extension (18 January 2020 to 17 January 22) of the Samar Pacific Coastal Road Project;
- 18-month implementation period extension of the project (1 January 2020 to 30 June 2021);
- 9.04% increase in total project cost.

IMPLEMENTING AGENCY

Department of Public Works and Highways

PROJECT COST AND FUNDING SOURCE

Php1.13 Billion through Official Development Assistance



INFRASTRUCTURE & M&A CAPABILITIES

CAPABILITIES

Lawyers of Ocampo & Suralvo Law Offices possess the requisite **infrastructure and M&A capabilities** to provide legal support and advice on telecoms and infrastructure matters. Its lawyers have worked on a number of deals that demonstrated their expertise on these matters.

A few significant transactions that OS Law lawyers have worked on (whether as part of OS Law or in other organizations) are as follows:

Public Private Partnership Projects (Infrastructure):

- Legal advisory and project management: Joint Operations/PPP Project of Myanmar Posts and Telecommunications (MPT) and KDDI Summit Global Myanmar Co. Ltd. (KSGM) as PPP/Joint Operations General Manager for the Legal Department. Activities performed included drafting of internal rules for the joint operations to ensure compliance with existing contractual, regulatory requirements and assisting in the creation and structuring of a special purpose vehicle for the spin-off of particular business activities and overall management of the Joint Operations/PPP Contract;
- Advisory services: Proponents of a proposed elevated mass transport system (10km to 15km light rail transport system and supporting bus system) that will operate within two cities in Metro Manila and a province adjacent to Metro Manila with at least nine (9) stations;
- Advisory services: Planned consortium for an intracity rail transport system (5km to 7km monorail transport system);
- Advisory services: Planned consortium for a rail transport system in a province in Luzon island (10km light rail transport system);
- Advisory services: Submission of an unsolicited proposal with regard to the construction and maintenance of schools;
- Advisory work and project management (legal): North-South Railway PPP Project which involves the PPP for the rehabilitation and operation of the Southline railway system from Tutuban, Manila to Matnog, Sorsogon, totalling approximately 653 km, with commuter railway operations between Tutuban and Calamba, and long-haul railway operations from Tutuban to Matnog;
- Advisory services: Unsolicited proposal for a rail transport system in a city in Mindanao island (13km light rail transport system); and
- Advisory services: joint venture for the development and operation of a greenfield international airport project in Luzon (with estimated project cost of ~USD 4 billion).



INFRASTRUCTURE & M&A CAPABILITIES

CAPABILITIES

Engineering, Procurement and Construction Projects:

- Advisory and transaction support services: drafted and negotiated various Engineering Procurement and Construction (“EPC”) agreements in connection with the construction or assembly of renewable energy projects (solar and biomass) in the Philippines;
- Advisory and transaction support services: Drafted and negotiated EPC agreements in connection with the construction or assembly of the largest rooftop solar project in the Philippines (at the time of closing); and
- Advisory and transaction support services: Drafted and negotiated construction contracts for the construction of retail buildings in Metro Manila

Mergers & Acquisitions:

The firm is very active in the M&A filed – especially in power and energy. In the past three (3) years alone, the firm has acted as regulatory counsel, provided legal advice on deal structures and documentation and conducted due diligence reviews of more than twenty (20) renewable energy projects covering solar, wind, biomass and hydro.

- The firm represented a global company in its legal due diligence review of the Philippine assets in Chevron’s sale of geothermal interests in the Philippines;
- Potential investors and acquirers trust the firm to conduct due diligence reviews of highly regulated industries such as mining, cement, chemicals, transportation, media, retail and real estate. The firm has also been deal counsels in M&A transactions in the cosmetics, business process outsourcing, and hotels & leisure industries. In 2019, the firm conducted due diligence review, deal structuring and documentation work in relation to the planned acquisition of a company listed in the Philippine Stock Exchange;
- The firm also performs significant work on real estate acquisitions and regularly represents hotel and leisure clients in land deals. The firm also assisted one of Metro Manila’s water concessionaires in its acquisition of significant real estate assets;
- The firm has represented Chinese state-owned enterprises, including a state-owned bank/financial institution in Philippine M&A, investment or financing deals;
- The firm regularly advises its clients on competition law matters and has represented acquirers and investors in notification proceedings with the Philippine Competition Commission.





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Ocampo & Suralvo Law Offices (OS Law) is a Philippine corporate, commercial and tax law firm with a team of 5 partners, 6 counsels and 4 special counsels.

OS Law assists its clients with their corporate, commercial and tax needs across a spectrum of business concerns including general corporate and commercial matters, company establishment and registration, contract negotiation and drafting, mergers and acquisitions, joint ventures, corporate restructuring and foreign direct investments.

OS Law is also driven to provide Philippine businesses with solutions that will enable them to thrive in the global economy. Through its collaboration with **DFDL**, an international law firm focused on Asia's emerging economies, and **Kinstellar**, an international law firm focused in Europe and Central Asia, OS Law provides its clients with access to legal expertise of more than 22 offices in 18 countries.

